IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION



DENNIS K. KUCINICH; KUCINICH FOR PRESIDENT 2008, INC.; AND WILLIE NELSON,	§ § &	By the
PLAINTIFFS,	8	
LAIVIII 15,	8	
V	8 8	CAUSE NO. 1-08-CV-007-LY
	\$ \$	
TEXAS DEMOCRATIC PARTY;	§	
BOYD L. RICHIE; AND	§	
PHIL WILSON,	§	
DEFENDANTS.	§	

FINAL JUDGMENT

Before the Court is the above-referenced cause. On January 2, 2008, Plaintiffs Dennis Kucinich, an independent candidate for the office of President of the United States, and Willie Nelson, an individual Texas voter and supporter of Kucinich for President, filed suit against the Texas Democratic Party ("TDP"), TDP Chairman Boyd L. Richie, and Phil Wilson, Secretary of State for the State of Texas, seeking declaratory and injunctive relief pursuant to sections 2201, and 2202 of Title 28 of the United States Code¹ to invalidate the oath contained within Article VII.A.2(b) of TDP Rules ("the Oath") and to permanently enjoin TDP from enforcing the Oath. On that same date, Plaintiffs filed a Motion for Temporary Restraining Order and Preliminary Injunction (Doc. #2). On January 4, 2008, Plaintiffs filed an Amended Complaint (Doc. #8).

Following a status conference, the parties agreed to present this case on an agreed record, briefing, and oral argument on the merits. On January 11, 2008, the Court held a bench trial at which all parties were represented by counsel.

¹ 28 U.S.C. §§ 2201, 2202 (1994).

IT IS ORDERED that Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction filed January 2, 2008 (Doc. #2) is DISMISSED.

IT IS FURTHER ORDERED that Defendants' Motion To Dismiss For Failure To State
A Claim filed January 8, 2008 (Doc. #13) is **DENIED**.

IT IS FURTHER ORDERED, substantially for the reasons stated in open court, that Plaintiffs TAKE NOTHING by their action against Defendants.

The Court's complete findings of fact and conclusions of law, as required by Federal Rule of Civil Procedure 52, shall be rendered subsequently.

SIGNED this 1174 day of January, 2008.

UNITED STATES DISTRICT JUDGE